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THE PROBLEM OF UNRESOLVED WRONGDOING

Kenneth Einar Himma

Many Christians believe that, because of divine grace, any person who repents of sin, accepts Christianity, and has genuinely authentic faith in God is forgiven for her sins and spared *completely* of the torments of hell. I argue that this idea is difficult to reconcile with certain Christian doctrines and common, though not universal, moral intuitions about wrongdoing and punishment. The main steps are as follows. The violation of an obligation creates a moral debt that requires correction by compensation, punishment, and/or forgiveness; a wrong that is never punished, compensated, or forgiven perpetuates a continuing injustice by leaving a debt unpaid. If it is true that one person's forgiveness cannot release the wrongdoer of a moral debt owed to *someone else*, then God's forgiveness cannot release a wrongdoer from the moral debts she owes to human victims of her wrongs. Something must be done, as a moral matter, to deal with those existing moral debts before a saved sinner can enjoy the eternal bliss promised to the faithful.

I. Introduction

Many Christians believe that, because of divine grace, it is sufficient for salvation that one instantiate certain mental states at the time of one's death. Any person who repents of sin, accepts Christianity, and has genuinely authentic faith in God is forgiven for her sins and spared *completely* of the torments of hell. Even the most evil people can be saved, getting *nothing* by way of divine punishment. Indeed, a genuine conversion occurring during a person's dying breaths is sufficient, on the traditional view, to be spared of divine punishment and enjoy the infinite benefits of salvation.

I argue that these views about salvation are difficult to reconcile with certain Christian doctrines and common, though not universal,¹ moral intuitions about wrongdoing and punishment. The main steps are as follows. The violation of an obligation creates a moral debt that requires correction by compensation, punishment, and/or forgiveness; a wrong that is never punished, compensated, or forgiven perpetuates a continuing injustice by leaving a debt unpaid. If it is true that one person's forgiveness

¹It is important at the outset to acknowledge that these intuitions are not universal among Christians; if the reader rejects one of the intuitive claims I assume, then my argument does not work. But they are sufficiently common (and reasonable) that they should seem at least *prima facie* plausible even to readers inclined to reject them. The rejection of any one, it seems to me, requires some sort of argument.



cannot release the wrongdoer of a moral debt owed to *someone else*, then God's forgiveness cannot release a wrongdoer from the moral debts she owes to human victims of her wrongs. Something must be done, as a moral matter, to deal with those existing moral debts before a saved sinner can enjoy the eternal bliss promised to the faithful. I do not make any claims about exactly what the specific nature of this additional element should be, but I suggest that there are some cases requiring punitive or quasi-punitive response.

II. Moral Wrongs and Corrective Justice

It is natural to think of moral wrongs as creating *debts* owed to the person who has been wronged. If *A* has a claim or right against *B*, then violation of that right seems to create some sort of moral "debt"; since the claim belongs to *A*, the debt seems owed to *A*. Likewise, if *B* owes *A* an obligation, then violation of that obligation entails that *A* has been wronged. But the wrong seems to create a debt by putting *A* in a worse position than she otherwise *should* have been. Since the obligation was owed to *A*, the debt seems also owed to *A*.

To the extent that wrongdoing creates some sort of moral "debt" on the part of the wrongdoer, many instances of human wrongdoing will create multiple debts. All human wrongdoing creates a debt arising from the wrong against God. But much human wrongdoing will also create debts arising from the wrongs against its human victims.² Murder, for example, will create at least two debts: a debt owed to God from its being sin and a debt owed to the victim from its violating the victim's right to life.³ Indeed, murder will create a host of debts to those friends and relatives who have lost a loved one—and might even involve a wrong against an entire community as a breach of the peace.

These various debts are morally independent in the following sense: they are specific as to victims. While certain victimless wrongdoing, if such there be, may create some sort of generalized debt or may create no debt at all, wrongdoing that occurs against a victim creates a debt *owed to that victim*. If a murderer kills someone's father, his wrongdoing creates

²Richard Swinburne offers a similar account in Swinburne, *Responsibility and Atonement* (New York: Oxford University Press, 1989), pp. 81–109. I am indebted to a referee for making me aware of this discussion.

³One might think the principle "ought implies can" entails that one cannot owe a debt to a murder victim because one cannot possibly discharge that debt. But "ought implies can" excludes cases in which the person owing a duty has culpably put himself or herself in a position where the duty cannot be satisfied. A drunk driver who hits a wall cannot excuse her conduct by arguing that it was impossible for her to drive responsibly because she was intoxicated; "ought implies can" does not apply in any way favorable to the drunk driver. Notice that this is a different objection from the objection that one cannot owe a dead person a moral obligation or a debt since the person is no longer there; one can take this position, but this would entail denying that we have an obligation to a decedent to distribute her property according to the terms of her will. The intuition that we can owe duties to dead people and have debts to them is a common one that grounds many legal duties apparently owed to decedents as well as moral duties. I am indebted to an anonymous referee for pointing this out.

debts owed to God, the murder victim, and the victim's child. But these debts are distinct because the act results in multiple wrongs: the transgression of God's law, the violation of the victim's right to life, and the violation of the wrongdoer's obligation to that child not to wrongfully jeopardize his well-being.

The metaphorical idea that wrongdoing creates debts that must be resolved in some way is at the foundation of ideas about "corrective justice." Theories of corrective justice, unlike utilitarian theories of justice, are wholly backward looking: whereas utilitarian theories emphasize the future consequences to community well-being, corrective theories emphasize the need to rectify existing injustices that arise from past wrongful acts. Theories of corrective justice see various individual or societal responses to wrongdoing as a way of correcting or rectifying moral debts created by wrongful acts.

The idea that these injustices must, as a moral matter, be corrected or rectified is most plausibly explained in terms of some legitimate expectation or right that the victim has in virtue of having the right kind of moral standing. *Qua* moral person, I have a moral right to be compensated for injuries caused by a person's culpable behavior. *Qua* moral person, I have a moral right that persons who commit criminal acts against me be punished—not necessarily as some sort of expression of vengeance or retaliation, but as a way of acknowledging my worth as an intrinsically (and hence morally) valuable being. Wrongdoing that victimizes me creates a debt owed *to me* and that must in some way be discharged by me or paid to me. While this does not preclude a response that is initiated by other entities (such as a morally legitimate state) or other persons (such as God) that would contribute to "resolving the debt," the efficacy of this response depends on its addressing the fact that the debt is owed to me.

Now it is crucial to note that no claim is being made here that we have rights against God or that God owes us obligations—a contentious view. What is claimed here is that *other people* create debts owed to us because we have rights against *them* and those *other people* owe obligations to us. While I will make certain claims about what God must do given God's moral perfection, they do not depend on taking the view either that God owes us obligations or that we have rights against God.⁴

III. Corrective Justice and Traditional Christianity

There is much here not entirely clear. It is easy to see how forgiveness might suffice, as a moral matter, to resolve a debt; forgiveness is not unlike any other consensual act by which an obligor releases a person from an obligation. Insofar as I can waive an obligation owed to me by another person in advance (e.g., by consenting to a person's entry upon my property, I temporarily waive my right to exclude her from such), it seems reasonable to think that I can completely release a party from a moral debt

⁴I am indebted to anonymous referee for making me aware of the need to make this point.

to me created by a breach of an obligation owed to me by an act of forgiveness. Indeed, this seems to be the conceptual point of forgiveness. If so, the moral ledger is at least partly restored by an act of forgiveness as between offender and offended.

It is not clear that punishment can fully address the moral debt. Punishment might be deserved and thereby avoid the further injustice of allowing a wrongdoer to get away with wrong. It might even square the moral ledger in some cases. But it seems implausible to think that full punishment *necessarily* evens the moral ledger. Punishing the murderer of someone I love, after all, does nothing to diminish my loss; but, more importantly, punishment does not balance the ledger between murderer and victim because it cannot bring the victim back to life.

The same considerations apply to compensation. It might be some wrongs result in injury that can be fully compensated so as to balance the moral ledger; if, for example, *A* takes \$5.00 from *B* in an armed robbery, then *A* can fully compensate *B* for the economic effects of theft: \$5.00 compounded by the relevant interest rate fully compensates for the economic injury (assuming the only injury is economic). But some wrongs simply cannot be adequately compensated. For example, there is *nothing* a murderer can do to compensate the murder victim for the loss of life. And I doubt a murderer can fully compensate a victim's loved ones for their losses. Monetary compensation is extremely limited in what it can do to rectify moral debts.

Even a fully compensated loss might still need the help of punishment to balance the moral ledger. Even if the victim of the robbery's only injuries are economic and are fully compensated, I would surmise that most readers would agree that the robber should still be punished—indeed, even if the victim has forgiven the wrongdoer and even if no utilitarian benefits are thereby achieved; in this case, punishment is necessary to restore the moral ledger because the robber should, as a moral matter, get the punishment she *deserves* for her crime. This suggests that, in *some* cases, no one corrective measure will be enough to balance the moral ledger and that all three might be required.

The idea that wrongdoing requires punishment, compensation, forgiveness, or some combination of the three seems central not only to ordinary moral (and legal) practices and judgments, but also to traditional Christianity. To begin with, the traditional view that nonbelievers *deserve* eternity in hell as divine *punishment* for sins presupposes a retributivist and hence corrective view of punishment. Moreover, ordinary norms of corrective justice seem reflected in the common view that God's forgiveness is needed to justifiably spare sinners of punishment. On this view, God's forgiveness helps to balance the ledger between God and sinner insofar as it releases the sinner from the debt to God that arises from sin—a necessary prerequisite for sparing the sinner the punishment she deserves; thus, a morally perfect God *could* not simply spare all sinners without a mediating act of forgiveness.

IV. Faith as a Sufficient Condition for Avoiding Divine Punishment

It is generally thought that faith in Jesus is a sufficient condition for being forgiven by God and spared all divine punishment. First, faith in Christ is a sufficient condition for salvation. John 3:16 states, for example, that "For God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but have eternal life." Faith, of course, includes propositional belief that the core doctrines of Christianity are true, but it also involves a commitment to do the will of God and hence involves some kind of sincere behavioral commitment. Second, the result of salvation is that the sinner is completely spared of punishment. These two claims, then, yield the familiar view: genuine faith in Jesus Christ is a sufficient condition for an eternal life in bliss free of the suffering associated with punitive or quasi-punitive measures.

What entirely determines one's ultimate fate on this traditional view, then, is whether one instantiates the proper mental states (hereinafter CMS for "the Christian mental state") at the time of one's death. If one believes that the relevant tenets of Christianity are true and has the right sort of mental states (which includes continuing repentance and a commitment to accept and *follow* Jesus), then it doesn't matter whether one actually has an opportunity to express those commitments in good works—either because one has certain disabilities or because one's lifespan is too short to realize those commitments. Nor, strictly speaking, does it matter with respect to the character of one's ultimate fate what sort of life one has led up to the point of instantiating the appropriate mental states. Instantiation of CMS is sufficient to ensure the forgiveness of sins and immunity, so to speak, from divine punishment.

V. Salvation, Limited Authority to Forgive, and Unresolved Evil: *The Problem*

The preceding analysis implies that people can be saved any time prior to death. If instantiating CMS is a sufficient condition for salvation and hence for escaping eternal punishment, then salvation is possible for as long as an individual is able to instantiate CMS. The thief who died on the cross next to Jesus was saved by his last-second repentance and acceptance of Jesus and thereby spared of all divine punishment.

Viewed from one angle, this is as it should be. The forgiveness of the party wronged seems at least sometimes, if not always, sufficient to wholly release the wrongdoer from the debt created by her wrongdoing and hence to wholly balance the moral ledger between wrongdoer and wronged. Moreover, the willingness to freely forgive, at the very least, is usually a profound moral virtue. Thus, it seems utterly unproblematic, as a moral matter, that an omnibenevolent and loving God is always willing to release a repentant sinner from her debt by a gracious act of forgiveness.

But ordinary moral intuitions suggest that one party's forgiveness is sufficient to release a wrongdoer from only that part of the moral debt that is

owed to her in consequence of the wrongdoer's misdeed.⁵ If, for example, A steals something jointly belonging to B and C, then A has wronged both B and C and is morally indebted to both B and C. While B's forgiveness may suffice to release A from the debt owed to B, it does nothing to release A from the debt owed to C. To resolve the moral debt owed by A to C, at least one of the three things must happen: (1) A receives punishment on C's behalf from a legitimate representative of C; (2) A compensates C for damages caused by A's wrongdoing; or (3) C freely forgives A. For this reason, the unilateral acts of B cannot resolve the evil created by A's wrongful conduct towards C. On ordinary views, one agent's forgiveness is not sufficient, as a matter of moral principle, to release another from the wrongs she commits *against other agents*. The authority to release moral debts through forgiveness is limited only to debts owed to the person who is wronged.

This creates a general problem for traditional Christianity best illustrated by first considering how it arises in connection with deathbed conversions. Suppose that Hitler had not committed suicide (dying instead of other causes), had experienced a genuine conversion on his deathbed, and died instantiating CMS. Despite the fact that he is responsible for millions of murders, Hitler's instantiation of CMS spares him of the eternal punishment he would otherwise have received. His fate after judgment, according to traditional Christianity, is an eternal and infinitely fulfilling communion with God.

Hitler's behavior results in a horrifically large number of wrongs. Each of Hitler's murders sins against God and creates a moral debt owed to God. Furthermore each of these murders wrongs not only the victims but also the victim's surviving friends and family (and possibly humanity itself). Every such act, then, creates a profound and complex moral disturbance that involves large moral debts to God and to each of a potentially very large class of human beings.

God's forgiveness releases Hitler from the debts he owes to God, but it cannot, if ordinary moral intuitions are correct, release Hitler from those he owes to his human victims. These intuitions suggest that only the creditor/obligor can release the debtor/obligee from her debt by forgiveness. Of course, as was noted earlier, there may be other ways to resolve the debt, which include punishment of or compensation by the wrongdoer. But if neither punishment nor compensation occurs, then only an act of forgiveness on the part of the victim can, according to ordinary moral intuitions, suffice to release the wrongdoer from her debt to the victim—although it is important to recall that there are some cases where even forgiveness does not suffice.

⁵This view is taken for granted in the literature on forgiveness. See, e.g., Howard McGary, "Forgiveness," *American Philosophical Quarterly* 26 (1989), pp. 343–350; Jeffrie Murphy, "Forgiveness and Resentment," *Midwest Studies in Philosophy* 7 (1982), p. 504; Paul M. Hughes, "What is Involved in Forgiving?" *Journal of Value Inquiry* 27 (1993), pp. 331–340; and Aurel Kolnai, "Forgiveness," *Proceedings of the Aristotelian Society* 74 (1973–1974), pp. 91–106. I am indebted to Paul Hughes for this point.

Hitler's immediate salvation would, thus, leave many unpaid moral debts in the world. Given that (1) Hitler's wrongdoing has not been forgiven by each of his victims, (2) Hitler's victims have not been compensated for the wrongs they experienced, and (3) Hitler receives no punishment, his salvation leaves tremendous moral debt in the world that would, if the traditional view is correct, remain forever unpaid.

The problem is not limited to the case of deathbed conversions. It arises for all of us—even people who have been committed Christians since they reached the age of reason. Even the best of lifelong Christians are prone to lusting after (or objectifying), judging, envying, and deceiving others. Such acts violate not only our obligations to God, but also obligations owed to the victims of those acts; accordingly, these acts create a large number of debts that are owed to beings other than God.

While each of these human debts may seem comparatively small (as compared to the debts created by murder), they seem to add up to something significant over a lifetime. I can't, e.g., remember a day in which I didn't experience illicit lust or make a harsh judgment about someone. Though I try to prevent myself from such acts, I am a sinner who continuously adds to the human debts I owe.

Most of the wrongness that I introduce into the world remains unresolved despite continuing repentance. Indeed, the vast majority of people I wrong with those mental states have no idea they have been wronged by me. Accordingly, it is highly unlikely that such persons might have directed an act of forgiveness towards me. No matter how hard I try, my death will leave significant debts to others that will remain unforgiven and unpaid—something true of all of us sinners. The moral debts my sins create, if I receive no divine punishment, will hence remain unresolved.

The idea that God would leave unresolved evil in the world is difficult to reconcile with God's moral perfection. A person with authority to judge and redress the wrongdoing of others has a moral obligation to exercise that authority in a way that resolves as many of the wrongdoer's debts as possible. A judge who unilaterally decided to, say, throw out all civil suits if she became convinced of the defendant's repentance and remorse would be acting wrongly—and this is true even if (1) the judge were infallible in discerning the appropriate mental states and (2) the parties and public all understood this. (Of course, judges are not infallible, but that is not relevant. The point is that we would have the same reaction *even if* somehow a judge could ascertain this in a particular defendant with demonstrable certainty.)

The problem of unresolved evil, then, is to reconcile ordinary understandings of what morality requires of authority in dispensing justice with the traditional Christian view that any person can avoid divine punishment simply by instantiating CMS at the time of her death. The claim that instantiation of CMS is sufficient for avoiding all punishment is in conspicuous tension with the common view that justice demands that moral debts be resolved when possible.

VI. Objections and Replies

A. God's Authority to Efficaciously Forgive Is Not Limited

One might respond that God's authority to forgive is not subject to familiar standards of corrective justice and that God's forgiveness, unlike ours, is capable of resolving not only moral debts owed to God, but also moral debts owed to other beings. On this view, divine forgiveness restores the balance of justice disturbed by a person's wrongdoing as between all affected parties. Different standards of corrective justice apply to God in virtue of God's special moral status in the world; the ordinary ones governing our behavior are inapplicable to God's acts.

There are a number of reasons for rejecting this claim. To begin with, it is not clear how any of God's perfections could enable God's forgiveness to annul debts owed to third parties. God's omnipotence does not seem relevant because the problem of resolving evil in the world is less a causal matter than it is a moral matter. My ability to cancel a debt by forgiving it is not achieved by means of a series of causes and effects that begins with my willing an act of forgiveness; the relevant ability or capacity is primarily moral, rather than causal, in nature. If the notion of omnipotence picks out purely causal abilities, then God's omnipotence cannot ground the ability to annul moral debts owed to others.

Nor is it clear how God's moral or epistemic perfection would give rise to this capacity. Indeed, it is not even clear that the claim that an omniscient, morally perfect being has forgiven *P* entails even the claim that it would be unjust for other persons not to forgive *P* (because the wrongs against God are distinct from, and arise under different moral standards from, those against other persons). Here it is worth noting that mere repentance does not, according to traditional Christianity, suffice to elicit a forgiving response from God; in addition, the penitent must accept core Christian doctrine and direct a personal petition to God asking for forgiveness. God's forgiveness is thus a response to a personal gesture that is directed to God. If a being may withhold forgiveness in the absence of such a gesture without violating an obligation, then the claim that God has forgiven *P* does not entail that it is unjust for persons who have not been asked by *P* for forgiveness to withhold it from *P*.

But even if the claim that God forgives *P* implies that it is unjust for any person to withhold forgiveness from *P*, the claim that it is unjust for anyone not to release *P* from her debts doesn't imply that *P* is released from all debts.⁶ I think, e.g., that the U.S. has a moral obligation to release Third World countries from their stifling financial debts to the U.S., but I do not think that this fact succeeds, as a moral matter, in releasing them from those

⁶It is worth noting that anyone who is already saved will have forgiven all wrongdoing against them; it is reasonable to think that a person cannot be fully Christian without forgiving transgressions committed against her—as, for example, is suggested by the Lord's Prayer. This means that the problem of unresolved evil, strictly speaking, will arise only for those who have not been saved. I am indebted to Steve Layman for pointing this out to me.

debts. The notion that one person might unjustly demand satisfaction of a moral debt is not clearly false or conceptually incoherent. Accordingly, it is not clear how God's special moral status would explain why special standards of corrective justice afford God the ability to release wrongdoers from debts owed to other persons by an act of divine forgiveness.

Finally, it is worth noting that something like this move is equally applicable to every problem of philosophical theology implicating God's moral perfection. The problem of evil disappears if we assume God's agency is not subject to the same moral standards as ours; so there is no reason to think that the amount of evil needs a philosophical reconciliation with God's moral perfection. Likewise for the proportionality objection to the traditional doctrine of hell: ordinary people might be morally constrained to punish wrongdoing proportionately, but God is not: as creator and sovereign of the world, God has moral liberty to punish people as harshly and disproportionately as God pleases.

At the end of the day, all this might be correct. But resting on any such claim without argument seems curiously *ad hoc* because we assume that we understand morality well enough to see that ordinary norms apply to God as well—and this is, again, presupposed in our philosophical theology. The proportionality problem is a problem only if the ordinary standards governing our institutions of punishment also apply to God. The problem of evil is a problem only if ordinary standards having to do with the circumstances under which someone who can prevent evil and knows about it should do so also apply to God. The divine command theory can be rejected on the strength of the claim that it falsely implies that God's commands could make it obligatory to torture newborn infants for fun only if God's commands are subject to ordinary moral standards. The problem of the atonement is a problem only if we assume that ordinary moral standards dictating that good people who can prevent gratuitous suffering without significant cost to themselves *should* do so. The whole point of atonement theories is to show how Jesus's suffering was not gratuitous. Indeed, in the case of the stronger theories, the point is to show that Jesus's suffering is *necessary* to secure the great moral good of divine forgiveness of human sin.

B. Is a Person's Repentance Sufficient to Resolve All Moral Debts?

One might, however, think that it would be morally problematic for God to punish Hitler because he has repented and accepted Christ, but this claim seems hard to justify. As far as our criminal justice practices are concerned (which track ordinary moral judgments), repentance is not sufficient to effect a complete release of the wrongdoer from the debt her behavior creates: even in cases where there is no plausible doubt about the criminal's repentance, she is rightly required to submit to some sort of punishment.

This is not to deny that remorse and repentance play some justified role in reducing punishment. Judges and juries will sometimes reduce the level of punishment to take into account the criminal's remorsefulness, but

this is most plausibly characterized as an act of mercy made possible by something approximating institutional forgiveness. Similarly, convicted criminals can reduce the time they must serve in prison by good behavior and productive use of their time, but this is most plausibly characterized as being justified by pragmatic considerations: in most cases, the criminal will be returned to society, and it is in everyone's interests that she develop skills and character traits that facilitate her assimilation into the law-abiding population. Rarely, if ever, is someone who is convicted of a reasonably serious offense allowed to escape punishment entirely on the strength of her repentance.

If natural law retributivist Michael S. Moore is correct, these legal practices reflect intuitions shared by most people:

[Suppose that a] murderer has truly found Christ, for example, so that he or she does not need to be reformed; he or she is not dangerous for the same reason; and the crime can go undetected so that general deterrence does not demand punishment (alternatively, we can pretend to punish and pay the person the money the punishment would have cost us to keep his or her mouth shut, which will also serve the ends of deterrence). In such a situation, should the criminal still be punished? My hypothesis is that most of us still feel some inclination, no matter how tentative, to punish.⁷

As an empirical matter, I have described a similar thought experiment to at least 1000 students. Fewer than 2 percent of my students take the position that the murderer should go free. If these admittedly anecdotal considerations are a reliable indication, most people share the intuition that justice demands that serious wrongdoing be punished—which helps to explain why most of us are content with the relevant criminal justice practices. Insofar as one shares these intuitions, they create problems for the idea that a person's repentance alone is enough to resolve the debts she owes to other people.

It is true that we are never in an epistemic position to *know* that an offender has genuinely instantiated CMS and is truly repentant, but that is irrelevant. The point is that *even if we did know*, it would not, on ordinary views, justify sparing the offender of any punishment—and there are surely logically conceivable circumstances in which we could be as justified in believing this as we are in believing any other empirical claim.⁸ In any event, the mere possibility of such a situation is enough to make the point that Michael Moore wants to make: according to our ordinary intuitions, instantiating CMS and genuine repentance from wrongdoing

⁷Michael S. Moore, "The Moral Worth of Retribution," in *Responsibility, Character, and the Emotions*, ed. Ferdinand Schoeman (Cambridge University Press, 1987).

⁸Scientists are developing brain-imaging technology that can determine whether a person is lying at a much higher degree of accuracy than existing polygraphs, which measure anxiety levels. See, e.g., Robin Marantz Henig, "Looking for the lie" (*New York Times Magazine*, February 5, 2006), <http://www.nytimes.com/2006/02/05/magazine/05lying.html?scp=2&sq=lie%20detecting%20brain&st=cse>. While they have not yet succeeded, it is nomologically possible that such a device provide readings sufficiently reliable in justifying beliefs about whether a person is telling the truth to justify basing punitive consequences on it.

would not justify a judge in sparing a murderer from punishment—even if there are no utilitarian reasons for punishing her. Ordinary intuitions, then, are inconsistent with the idea that a person's repentance is sufficient, as a moral matter, to resolve debts she owes to another person in virtue of some wrongful act.

One might think that repentance is sufficient to balance the moral ledger in the following sort of case. Suppose *A* wrongfully injures *B* and would be willing to accept punishment and to compensate *B* for her injuries, where either punishment or compensation would be sufficient to balance the ledger. But, for reasons beyond *A*'s control, *A* is unable to be punished or provide compensation. In that case, one might argue that *B* morally ought not to press the case against *A*, concluding that the debt created by the wrong has been balanced.⁹

If this is the argument, I think it is problematic. If *A* is genuinely repentant but cannot make good on the debt she owes to *B* or be punished, it is true that *B* morally ought not to press the case against *A*; there is simply no point in it. *A* is already perfectly remorseful and cannot do anything about it, so pressing the case achieves no morally valuable end. (Notice, however, that if either of *A*'s disabilities were removed, the outcome changes; an injured *B* ought to pursue at least partial compensation to more fairly allocate burdens. And if *A* can be punished, she ought to be.) But the claim that *B* morally ought not to press the case does not imply the ledger between *A* and *B* has been balanced. It should be clear that *A*'s disabilities and remorse are relevant in the issue of whether to pursue a morally pointless act, but not in squaring the debt owed to *B*.¹⁰

C. Has Christ Received All Punishment on Behalf of Sinners?

One might argue that Christ's suffering and death on the cross is sufficient to pay all moral debts that might arise in connection with human wrongdoing. On this view, which draws from the penalty theory of the atonement, Christ voluntarily stood in for us and accepted all the punishment that we deserve for our wrongdoing; Christ's suffering on the cross was thus sufficient to satisfy all the demands of justice that arise in connection with human wrongdoing—including those involving debts owed to other human beings. Thus, for example, there is no injustice in allowing salvation to Hitler since Christ bore all the punishment that Hitler deserves for his wrongdoing.

⁹I owe this objection to an anonymous referee, whose language I adopt here to describe the objection so as to avoid the appearance of setting up a straw man.

¹⁰But even if one can find a few examples like this that resist my analysis, it seems to me that I have identified enough cases that cause problems for the idea that instantiating CMS spares a saved sinner of all divine punishment. The strategy pursued above assumes wrongly that one case in which the principles of corrective justice I describe do not apply is enough to falsify my thesis. My thesis is the modest one that there are some cases in which it is unfair, under applicable norms of corrective justice, for someone who instantiates CMS to be spared of divine punishment. Finding cases where someone who instantiates CMS should be spared of divine punishment simply does not do the needed work.

The problem is that this move begs the question: the most that can be assumed here is that Christ's suffering and death was enough to annul all our debts that arise from *sins against God* and hence that are owed to God. And that is the standard theological story on these theories of atonement: something had to be done about the debt we owe *to God* before God could forgive sin—and Christ's sacrifice on the cross was the gesture that addressed *these* debts. It is no part of these theological explanations of the atonement that Christ bore the punishment or paid the debt for all *wrongs*; he bore the punishment or paid the debt for all *sins against God*.

D. Is Forgiveness Morally Obligatory?

One might argue that God need not punish Christians who have repented for their sins since those who have been wronged are morally obligated to forgive repentant sinners for their sins. If, on this view, the victim of a wrong is not willing to forgive a repentant Christian sinner for his or her sins, then that breach of a moral obligation releases God from any need to address the moral debt created by the act of wrongdoing.

This seems problematic for a variety of reasons. First, it seems inconsistent with certain bedrock mainstream Christian views. To begin, if salvation is a matter of grace and forgiveness of sin is at least one necessary condition for being saved (instantiating CMS being another necessary condition), then forgiveness cannot be morally obligatory—at least not as a general matter. This is not to say that forgiveness is not morally good or virtuous—perhaps even ideal; it is God's perfect goodness that is invoked to explain this remarkably generous act of God in forgiving us. Indeed, it is because forgiveness is a matter of grace that profound gratitude is not only appropriate but also seems morally required of us. But gratitude is not generally required for acts that are morally required.

None of this makes sense if we assume that God is morally required to forgive sin. As a conceptual matter, meeting an obligation is satisfying a minimum standard of behavior that it would be wrong to violate. If in telling the truth I am just meeting an obligation, then it would be wrong to say I have done "good"; praise is warranted for behavior that is good but not required—i.e., beyond the call of duty—and not merely for meeting one's minimal obligations. We cannot have it both ways here: we must either deny that God's forgiveness evinces generosity beyond the call of duty or deny that forgiveness is always morally obligatory.

Denying that forgiveness is always morally obligatory seems more sensible from the standpoint of ordinary moral intuitions. We frequently marvel at acts of forgiveness that seem extraordinary to us, regarding them as acts of grace for which gratitude is owed. Consider, for example, the response of the Amish community to the murder of five Amish school-children by Charles Roberts, who then committed suicide. The decision of the community to attend Roberts's funeral as a demonstration of their forgiveness was considered astonishing and made headlines around the world: words used to describe their gesture include "grace," "noble but

impossible ideal,” and “shocking”¹¹—not exactly the language one would expect if their forgiveness was morally obligated.

Indeed, many people shared the reaction of Jeff Jacoby who cited the Bible in an oft-discussed op-ed piece arguing that the Amish should not have forgiven Roberts:

But hatred is not always wrong, and forgiveness is not always deserved. I admire the Amish villagers’ resolve to live up to their Christian ideals even amid heartbreak, but how many of us would really want to live in a society in which no one gets angry when children are slaughtered? In which even the most horrific acts of cruelty were always and instantly forgiven? There is a time to love and a time to hate, Ecclesiastes teaches. If anything deserves to be hated, surely it is the pitiless murder of innocents.¹²

Jacoby was not just denying that such forgiveness was obligatory or good; he was claiming that it was wrong to forgive such acts.

This, it seems to me, is too strong, but it does gesture in the way of explaining why forgiveness might be good but not required in some cases. There are cases in which wrongdoing results in injury that can be adequately compensated for; in those cases, forgiveness and compensation might suffice to balance the moral ledger between offender and victim. In some cases, however, wrongdoing results in a loss that cannot be significantly addressed by compensation; in such instances, the victim must carry around a grievous loss for the rest of her life. Charles Roberts inflicted such a loss on the parents of those children and on the Amish community; there is nothing that can begin to compensate for the loss of a child and the terrible grief that comes with it. While the community’s decision to forgive Roberts seems praiseworthy, ordinary intuition suggests that it would not be morally wrong for at least the parents not to have forgiven Roberts.

The idea that forgiveness is a matter of grace, rather than requirement, seems to conform to our ordinary response to especially grievous wrongdoing. If, e.g., the national dialogue in our country is any indication, most of us, Christian and non-Christian alike, seem not to have forgiven al-Qaeda for 9/11. It is not just that we are waging “war on terrorism” as a matter of self-defense; many of us see it as being justified in retaliation of an evil that should not be forgiven.

The language of the Lord’s Prayer might be thought to support the idea that forgiveness is always morally required but, upon closer look, better supports the view that it is not. It is sometimes overlooked that the forgiveness we ask for in the Lord’s Prayer—given to us in slightly different forms in Matthew 6:9–13 and Luke 11:2–4—is constrained by the forgiveness we extend to other people: “Forgive us for our transgressions *as we*

¹¹Donald B. Kraybill, Steven M. Nolt, and David L. Weaver-Zercher, *Amish Grace: How Forgiveness Transcended Tragedy* (Jossey-Bass, 2007); excerpt available at <http://www.pbs.org/wnet/religionandethics/week1103/interview5.html>.

¹²Jeff Jacoby, “Undeserved Forgiveness” (*Boston Globe*, October 8, 2006), http://www.boston.com/news/globe/editorial_opinion/oped/articles/2006/10/08/undeserved_forgiveness/.

forgive those who transgress against us" is the familiar petition. This seems to suggest that God will forgive us only insofar as we forgive others. While this might seem to suggest that forgiveness is always obligatory, it does not: otherwise, our failure to forgive others could not justify God's not fully forgiving us. Indeed, it seems to confirm that forgiveness is at least sometimes conferred as a matter of grace and that it is morally good, rather than required. The petition teaches us to be graceful and merciful where it is not required so as to receive God's grace and mercy in the form of forgiveness where it is not required.¹³

But even if it were morally obligatory, it does not follow that punishment is not required as a moral matter. To begin, the above suggests that in some cases compensation is needed to fully address a moral debt owed by a wrongdoer to a victim; it would not be surprising if even repentant wrongdoers nonetheless deserved some punishment. Again, most people would take the position that even if we *knew* that a guilty murderer was as repentant for the killing as one could be, the murderer should still, as a moral matter, be punished.

One might argue that there is at least one circumstance in which forgiveness is morally required. As an intuitive matter, *A* seems to have wronged *C* if (i) *A* petitions for and accepts *B*'s forgiveness for a serious transgression that *A* committed, and (ii) *C* petitions for *A*'s forgiveness for a morally trifling transgression that *C* committed, but *A* withholds forgiveness from *C*. If so, then *A* is morally obligated to forgive *C* under these conditions.

One might reasonably think this principle entails that human beings are morally required to forgive all moral debts owed to them because these debts are morally trifling compared to those that God forgives. On this familiar reasoning, the magnitude of the wrongdoing is determined by the magnitude of the being that is wronged. Thus, whereas the magnitude of even the sum total of Hitler's wrongs against human beings is a mind-bogglingly large finite quantity, it is still infinitesimally small compared to the infinite magnitude of his wrongs against God. Accordingly, human beings are obligated to forgive even the worst wrongs.

There are several problems here. First, this principle would apply only to Christians who have petitioned for and accepted God's forgiveness. At most, this principle would show that Christians owe moral forgiveness for debts owed them by other Christians. It does not have application to atheists, agnostics, and persons of other faiths. So it cannot address the general problem.

Second, even if it were true that it applied universally, the claim that we are obligated to forgive debts owed to us does not imply that God's forgiveness can settle those debts. The fact that it might be morally wrong

¹³One might argue that those who have been forgiven by God are obligated to forgive others. Even if this is true, this would only apply to those who have been saved. There would still be a problem of unresolved evil for those who have not. See note 6, above.

for me to withhold forgiveness does not imply that someone else's forgiveness can release the wrongdoer from a debt that is owed to me.¹⁴

Finally, even if we assume that the magnitude of a wrong is determined by the magnitude of the being wronged, this is of little help here. The claim that Hitler's debt to human beings is small relative to Hitler's debt to God does not entail that Hitler's debt to human beings can be justly ignored. A finite debt owed to a finite being might be small compared to an infinite debt owed to an infinite being, but it does not follow that it is morally *trifling*. Surely, the debts owed by a murderer to the victim and to the people who love the victim are not morally trifling—even if they are finite and hence small compared to those owed to God. A substantial injury to a finite being is a morally serious matter—even if infinitesimally small compared to the magnitude of wrongs against God.

Ordinary intuitions and standard theology agree: justice demands that moral debts be settled in some manner. If a being has the ability *and* authority to act in a way that resolves the moral debts, then she ought to do so. And here it is crucial to note that it is possible in every relevant respect for God to act in such a way as to address the debt created by Hitler's evil acts. Clearly, it is both logically and causally possible for an omnipotent God to impose some sort of punishment on Hitler before accepting him into heaven. If it is logically and causally possible for an omnipotent being to consign someone to hell for an eternity, then it is logically and causally possible for such a being to do so for a finite period.

E. Can God Legitimately Demand that the Victims Forgive and Justify Sparing the Wrongdoer Punishment if the Victim Wrongfully Declines?

Another response takes this shape. God can legitimately demand that the victim of a wrongdoer forgive the wrongdoer; should the victim sin against God by refusing, God can cancel any of the remaining moral debts.

While refusal of a legitimate demand from God is surely sinful, this reply is problematic because it is unclear that a morally perfect God could legitimately demand an act of forgiveness if it is not antecedently morally required. In other words, if the victim is not already under an obligation to forgive the wrongdoer, it is not clear what would justify a morally perfect God in making a demand with this consequence. It seems, again, not to take seriously enough the victim's moral status as person with legitimate claims against others. Of course, one might be conditionally

¹⁴One might argue that, in some circumstances, a wrongdoer is not an appropriate subject of punishment if he does not pay his moral debt to his victim. For example, if *A* owes *B* a trifling sum of money while *B* has been released from a great debt by his victim, one might think that *A* should not be pressed to pay his trifling debt to *B*. First, I do not share the intuition that the fact that *B* has been released by someone else for a more substantial debt entails that *B* is obligated not to pursue the debt owed by *A*—unless the release of *B* has been made conditional upon *B*'s release of *A*. Second, and more importantly, even if the argument succeeds here, it is not enough to refute the analysis above. I could easily modify the principle to exclude such cases. A more powerful argument strategy is needed here. I am indebted to an anonymous referee for this point. See note 10 above.

required to forgive others to receive God's forgiveness, and that is surely a very good reason to forgive others. But someone might opt to withhold forgiveness in these circumstances without committing any sin. Of course, such a person will not benefit from God's forgiveness because the latter's willingness to forgive is tied to the former's. However, this is a prudential matter—and not necessarily a moral matter if forgiveness is not always morally required. God can legitimately demand forgiveness only where it is antecedently required; and it seems clear that forgiveness is not always morally obligatory.

F. Is the Wrongdoer's Repentance Together with Full Compensation from God Enough to Balance the Moral Ledger?

Perhaps the most powerful response is as follows. Anyone instantiating CMS will be genuinely repentant for her sins and apologetic towards all the victims of her sins—indeed, such a person may be afforded an opportunity to apologize to all her victims. Although the victim might be at moral liberty to decline to accept the apology and forgive, God could nonetheless balance the moral ledger between victim and repentant Christian sinner by fully compensating the victim for the injuries done to the victim. If so, then God can legitimately spare the repentant sinner of any punitive or quasi-punitive consequences.

The problem here is that it is not clear that God can fully compensate all injuries. We saw that we are limited in the extent to which we can fully compensate injuries because our only available currency, money, is incommensurable with certain kinds of injury in this sense: money cannot place the injured party in the same position she would have been in prior to the injury. Perhaps an omnipotent God has the ability to fully compensate all injuries because God has so many more means for doing so at His disposal; indeed, God can offer as compensation eternal bliss—and nothing could compensate for any injury better than that.

There are two problems with the idea that God could compensate with eternal bliss a victim who refuses to forgive an apologetic, repentant sinner. First, it seems inconsistent with the idea that instantiating CMS during one's lifetime is a necessary condition for being saved and escaping punishment. If God can't offer salvation to those who do not instantiate CMS, the most he can offer such people is some other lesser good not involving being in heaven. But if traditional Christianity is correct, there are only two possible ultimate fates: heaven or hell. So the only kind of lesser benefit he could offer them would be a milder form of damnation. Even assuming this is an option compatible with traditional Christianity (as is suggested by the conception of hell developed in Dante's *Inferno*), it seems implausible to think that "damnation lite" could count as adequate compensation.

Second, it is unclear that even eternal bliss can compensate for all injuries. Ivan, a protagonist in Dostoevsky's famous *The Brothers Karamazov*, aptly makes the point:

Tell me yourself, I challenge you—answer. Imagine that you are creating a fabric of human destiny with the object of making men happy in the end, giving them peace and rest at last, but that it was essential and inevitable to torture to death only one tiny creature—that baby beating its breast with its fist, for instance—and to found that edifice on its unavenged tears, would you consent to be the architect on those conditions? Tell me, and tell the truth.¹⁵

Now the claim here is a strong one: the universal salvation of all human beings cannot compensate for the unjust suffering of an innocent infant. Perhaps this is too strong, but it does raise the same problem that humans encounter with respect to compensation: no matter how good a compensatory payoff might be, it cannot restore a person to the position they would have been in had they not endured the pain and suffering associated with an injury. Past pain and suffering seem very difficult to compensate for with a future-looking payment—no matter how good that payment might be.

If, of course, the payment is good enough, a person might be willing to sell some pain and suffering for a future payment: I would let you hit me in the face for a payment of \$10,000,000. In such cases, a person might happily accept the offer and forgive the wrongdoer—which might succeed in balancing the moral ledger. But there are difficulties even here; as we saw above, punishment might still be required even in this case. As we have seen, compensation, together with genuine repentance on the part of the wrongdoer and forgiveness on the part of the victim, might not suffice to eliminate the need for punishment to restore the moral ledger. In the case of a robbery, for example, punishment might be required on retributivist grounds to balance the moral ledger, even when there is no utilitarian point in punishing. For all we can confidently assert, this might also be true in the case where one's ultimate fate is determined.

G. So Much the Worse for Ordinary Intuitions

One might simply argue, in response, that if the idea that God can forgive all sin and thereby cancel all debt is inconsistent with ordinary intuitions, so much the worse for ordinary intuitions.

But giving up ordinary intuitions comes at a cost. It is important to realize that moral intuitions frequently play an important role in philosophy of religion and even theology. Many philosophers, for example, reject the Divine Command Theory on the strength of the idea that it is simply not true that any propositional content might be morally binding in virtue of being commanded by God; not even God, on this familiar line of reasoning, could bring it about that it is morally good to torture live infants simply to watch them suffer. Similarly, theologians have frequently rejected certain interpretations of Scripture on the ground that they are inconsistent with certain moral principles; passages that have been used

¹⁵Fyodor Dostoevsky, *The Brothers Karamazov*, trans. C. Garnett (Modern Library, 1996), Book V, chapter 4.

to justify slavery and racial segregations are two interpretations that come immediately to mind in this regard.

While there are surely instances in which one must be prepared to give up one's moral intuitions as fallible, there are only so many core moral intuitions one can deny in connection with God's activity without raising an issue as to whether God is deserving of worship (a moral response) or simply a being to be feared (a prudential response). I think biting the bullet should be a response of last resort—just as it should in the case of other important morally charged issues in philosophical theology, like the problem of evil or the proportionality problem for the traditional views about hell.

VII. *Conclusions*

In this essay, I have argued that the doctrine that instantiating CMS is sufficient to spare a person of all punishment is difficult to reconcile with mainstream views about what justice requires in response to wrongdoing. According to these views, justice requires that the debts owed to the victims of wrongdoing be resolved in some way to correct the moral disturbance that wrongful behavior introduces into the world. While it is true, on Christian doctrine, that Christ's death released us from a debt that we owe for our wrongs, the relevant debt was owed *to God* for wrongs committed *against God*. But this suggests that allowing a wicked person to escape all punishment on the strength of a deathbed conversion leaves unpaid moral debts: to the extent that her wrongdoing against other persons has never been forgiven by the victims or punished, her salvation leaves behind unresolved injustice to her victims. To the extent that God allows such injustice, it seems to conflict with God's moral perfection.¹⁶

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